



South Florida Water Management District

GOVERNING BOARD MEETING AGENDA

This meeting is open to the public

September 12, 2006, 11:30 AM for Workshop Meeting

September 13, 2006

9:00 AM

District Headquarters - B-1 Auditorium

3301 Gun Club Road

West Palm Beach, FL 33406

The Closed Door Session will begin on 9/12/2006 at 11:30 AM. The Workshop will immediately follow the Closed Door Session.

The order of items appearing on the agenda is subject to change during the meeting and is at the discretion of presiding officer. Public comment will be taken after each presentation and before any Governing Board action(s) except for Governing Board hearings that involve the issuance of final orders based on recommended Orders received from the Florida Division of Administrative Hearings.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members.

1. **Call to Order** - Kevin McCarty, Chair, Governing Board
2. **Pledge of Allegiance** - Kevin McCarty, Chair, Governing Board
3. **Introduction of Colonel Paul L. Grosskruger, Jacksonville District Commander, U.S. Army Corps of Engineers** - Kevin McCarty, Chair, Governing Board
4. **Employee Recognitions**
See supporting document: [Leadership Award Backup.pdf](#)
See supporting document: [Morrissey 25 Yrs.pdf](#)
See supporting document: [Junior Dixon 35 Yrs Service.pdf](#)
See supporting document: [August Employee JS Backup.pdf](#)
See supporting document: [September EOM Backup.pdf](#)
See supporting document: [September TeamBackup.pdf](#)
See supporting document: [Warner25Yrs.pdf](#)
See supporting document: [Wilcher 25 Yrs.pdf](#)
5. **Approval of Minutes from the last month's Governing Board Meeting**

See supporting document: [August Workshop Minutes.pdf](#)

See supporting document: [GB Minutes August 2006.pdf](#)

6. **Agenda Addendum**
7. **Abstentions by Board Members from items on the Agenda**
8. **Pull Items for Discussion from Governing Board Meeting Agenda**
9. **Public Comment on Consent Agenda**
10. **Water Resource Advisory Commission Update - Michael Collins, Chair**
11. **Board Comment on Consent Agenda**

Consent Agenda

Members of the public wishing to address the Governing Board are to complete a Public Comment Card and submit the card to the front desk attendant. You will be called by the Board Chair to speak. If you want to request that an item be removed from the Consent Agenda and be discussed by the Governing Board, please advise the Governing Board when you are called upon to speak. Governing Board directives limit comments from the public to 3 minutes unless otherwise determined by the Governing Board Chair. Your comments will be considered by the Governing Board prior to adoption of the Consent Agenda.

Unless otherwise determined by the Chair, Board action on pulled Consent Agenda items will occur at or after 9:00 a.m. on Wednesday. Regulatory items pulled from the Consent Agenda for discussion will be heard during the Discussion Agenda. **Unless otherwise noted, all consent agenda items are recommended for approval.**

Water Resources

12. **Water Use Permit Applications**

Surface Water Management Permit Applications (includes Conservation Easements)

Environmental Resource Permit Applications (includes Conservation Easements)

Lake Okeechobee SWIM Works of the District Permit Applications

Everglades Works of the District Permit Applications

Denials

Environmental Resource Permit Extensions

Consent Agreements

See supporting document: [ca_wr_rm_100_sd.pdf](#)

13. Right of Way Occupancy New Permits

Right of Way Occupancy Permit Applications for Denial

Emergency Authorizations

Right of Way Occupancy Permit Requests with Waiver of District Criteria

Relaxation of Standards as Allowed Under District Rule 40E-6.011(9)
F.A.C.

See supporting document: [ca_lr_rm_100_sd.pdf](#)

- 14. 2006-900** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3 year cooperative agreement with Miami-Dade County Department of Environmental Resources Management (DERM), for Biscayne Bay Water Quality Monitoring and Submerged Aquatic Vegetation Monitoring in the amount of \$640,000, of which ad valorem and dedicated funds (Water Protection and Sustainability Trust Fund) in the amount of \$200,000 are subject to Governing Board approval of the FY07 budget; and the remainder is subject to Governing Board approval of the FY08-FY09 budgets; providing an effective date. (Contract Number 3600001300) (Bahram Charkhian, x2284)

See resolution document: [ca_wr_rd_4362_BFLD.pdf](#)

See supporting document: [derm 3600001300.pdf](#)

- 15. 2006-901** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 5 year cooperative agreement with Everglades National Park, for water quality monitoring in the amount of \$687,500, of which ad valorem and dedicated funds (Florida Bay Fund) in the total amount of \$137,500 are subject to Governing Board approval of the FY07 budget; and the remainder is subject to Governing Board approval of the FY08-FY11 budgets; providing an effective date. (Contract Number 3600001299) (Pete Rawlik, x4770)

See resolution document: [ca_wr_rd_4349_BFLD.pdf](#)

See supporting document: [ENP 3600001299.pdf](#)

See supporting document: [ENP map.pdf](#)

- 16. 2006-902** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 5 year cooperative agreement with Orange County, for Orange County Water Quality Sampling in the amount of \$179,600, of which ad valorem funds in the amount of \$33,804 are subject to Governing Board approval of the FY07 budget; and the remainder is subject to Governing Board approval of the FY08-FY11 budgets; providing an effective date. (Contract Number 3600001298) (Patrick Davis, x3171)

See resolution document: [ca_wr_rd_4361_BFLD.pdf](#)

See supporting document: [orange co 3600001298.pdf](#)

See supporting document: [Orange TUK Map.pdf](#)

17. **2006-903** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3 year cooperative agreement with Collier County, for Collier County Water Quality Monitoring in the amount of \$499,456 of which ad valorem and dedicated funds (Comprehensive Everglades Restoration Plan Fund) in the total amount of \$160,000 are subject to Governing Board approval of the FY07 budget; and the remainder is subject to Governing Board approval of the FY08-FY09 budgets; providing an effective date. (Contract Number 3600001301)(Patrick Martin, x4761)
See resolution document: [ca_wr_rd_4363_BFLD.pdf](#)
See supporting document: [Collier 3600001301.pdf](#)
18. **2006-904** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 1 year cooperative agreement with the U.S. Geological Survey for hydrogeologic and water resource studies in the amount of \$329,757 for which \$279,757 in Ad valorem funds and \$50,000 in Dedicated Funds (State Appropriations) are subject to Governing Board approval of the FY07 budget; providing an effective date. (Contract Number 4600000386) (Cynthia Gefvert x2610)
See resolution document: [ca_wr_rd_4454_BFLD.pdf](#)
See supporting document: [usgs 4600000386.pdf](#)
19. **2006-905** A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to contract 3600000170 with Aircoastal Helicopter, Inc. for Float Helicopter Services, in an amount not to exceed \$307,230, of which dedicated funds (Comprehensive Everglades Restoration Plan Fund, Florida Bay Fund, and Everglades Restoration Trust Fund) are subject to Governing Board approval of the FY07 budget; providing an effective date. (Contract Number 3600000170)(Lori Wenkert, x6661)
See supporting document: [ca_wr_3600000170A05_sd.pdf](#)
See resolution document: [ca_wr_3600000170A05_rd.pdf](#)
20. **2006-906** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into an Interagency Agreement between the St. Johns River Water Management District (SJRWMD) and the South Florida Water Management District (SFWMD) concerning permitting for those activities by the Callaway Land and Cattle Company which are associated with proposed improvements to the Saddle Creek Residential Development Project within the Fish Slough Basin in Okeechobee County; providing an effective date (Robert M. Brown, ext 6283)
See supporting document: [ca_wr_101_sd.pdf](#)
See resolution document: [ca_wr_101_rd.pdf](#)
21. Authorize publication of Notice of Rulemaking in the Florida Administrative Weekly (FAW) to amend Chapter 40E-8, F.A.C., to establish minimum flows and levels for Florida Bay.(John Mulliken, x6649)
See supporting document: [ca_wr_94026_jm.pdf](#)
22. Approve the authorization issued by the South Florida Water Management District to Port Mayaca, LLC approving the withdrawal of water from the C-44 Canal (Martin County) (Robert M. Brown, ext 6283)

See supporting document: [da_wr_103_sd.pdf](#)

- 23. 2006-907** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 3 year contract with Dewberry and Davis, LLC, for FEMA Flood Map Modernization in Highlands County as a Special Procurement in conjunction with the Southwest Florida Water Management District Short List of Firms to Perform Elements of the Water Management Program RFP No.006-06, in the amount of \$600,000, of which \$165,000 in dedicated funds (Federal Emergency Management Agency Fund (FEMA)) is budgeted in FY07 and the remainder is subject to Governing Board approval of the FY08-FY09 budgets, providing an effective date. (Contract Number 4600000415) (Angela Prymas, ext. 6629)

See supporting document: [ca_wr_4600000415_sd.pdf](#)

See supporting document: [ca_wr_4600000415a_sd.pdf](#)

See resolution document: [ca_wr_4600000415_rd.pdf](#)

CERP

- 24. 2006-908** A Resolution of the Governing Board of the South Florida Water Management District to approve the purchase of land interests containing 0.03 acre, more or less, for the C-4 Flood Mitigation Project, Sweetwater Berm, Phase 3, in the City of Sweetwater, Miami-Dade County, in the amount of \$4,000 and associated costs, of which dedicated (FEMA) funds are budgeted; approve declaring surplus, disposal of, and removal from the asset records, any such structures and improvements deemed unnecessary for the stated purpose of the original land acquisition; providing an effective date. (B. Katz, ext. 6837)

See supporting document: [ca_lr_101_sd.pdf](#)

See resolution document: [ca_lr_101_rd.pdf](#)

See supporting document: [ca_lr_101_map.pdf](#)

See supporting document: [ca_lr_101_Exhibit A.pdf.pdf](#)

- 25. 2006-909** A Resolution of the Governing Board of the South Florida Water Management District to approve entering into an agreement with an owner within the Chandley Point and Grape Hammock Acres subdivision in Section 3, Township 31 South, Range 31 East in Polk County, to mitigate for potential adverse impacts to septic systems; in connection with the Kissimmee Chain of Lakes Project in the amount of \$12,200, and associated costs; for which ad valorem funds are budgeted; providing an effective date. (T. Hanaway, ext. 6668)

See supporting document: [ca_lr_102_sd..pdf](#)

See resolution document: [ca_lr_102a_rd.pdf.pdf](#)

See supporting document: [ca_lr_102_legal.pdf](#)

See supporting document: [ca_lr_102_map.pdf](#)

- 26. 2006-910** A Resolution of the Governing Board of the South Florida Water Management District approving staff recommendations for Releases of District Canal, Mineral and Road Reservations; Releases of Trustees of the Internal Improvement Trust Fund (T.I.I.T.F.) Canal Reservations, and issuance of Non-Use Commitments; providing an effective date. (V. Rada, ext. 6836)

See supporting document: [ca_lr_100_sd.pdf](#)

See resolution document: [ca_lr_100_rd.pdf..pdf](#)
See supporting document: [ca_lr_100_Ex pg 3.pdf.pdf](#)
See supporting document: [ca_lr_100_Ex pg 4.pdf.pdf](#)
See supporting document: [ca_lr_100_Ex pg 1.pdf](#)
See supporting document: [ca_lr_100_Ex pg 2.pdf](#)

- 27. 2006-911** A Resolution of the Governing Board of the South Florida Water Management District amending the funding source of South Florida Water Management District Resolution No. 2003-660 approving the purchase of land interests containing 2,399.11 acres, more or less, in Hendry County, for the C-43 Basin Storage Reservoir-Part 1, a component of CERP, in the amount of \$13,875,000 to substitute fund 414 in the amount of \$10,147,899 for fund 410 in the same amount; providing an effective date. (R. Clements, ext. 6271)

See supporting document: [ca_lr_104_sd.pdf](#)
See resolution document: [ca_lr_104_rd.pdf](#)

- 28. 2006-912** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into an amendment to Contract No. C-8301 with Tetra Tech Ec, Inc. that provides for certain expenses of Tetra Tech Ec, Inc. and the South Florida Water Management District to be recognized as allowable expenses under the terms of the Contract and recoverable from revenues generated in accordance with the terms of the contract; and for which no funds are necessary; providing an effective date. (Contract Number 4600000033-A07)

See supporting document: [ca_lr_108_sd.pdf](#)
See resolution document: [ca_lr_108_rd.pdf](#)
See supporting CJSS: [ca_cp_cj_4638_BFLD.pdf](#)
See supporting document: [Dockery Ltr attachment.pdf](#)

- 29. 2006-913** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a fifty year lease agreement with the Board of Trustees of The Internal Improvement Trust Fund of the State of Florida and the District, as Lessors, and the State of Florida Department of Environmental Protection, Division of Recreation and Parks, as Lessee, for the management of 3,816 acres, more or less, as part of the Allen David Broussard Catfish Creek Preserve State Park, in Polk County; providing an effective date. (Contract Number LS060958/4600000383)

See resolution document: [ca_cp_rd_4636_BFLD.pdf](#)
See supporting CJSS: [ca_cp_cj_4637_BFLD.pdf](#)

Executive Office

- 30. 2006-914** A Resolution Of The Governing Board Of The South Florida Water Management District to Authorize a Settlement Agreement for \$100,000.00, plus \$20,790.00 for attorneys fees and \$7,500.00 for expert fees and costs, for which Florida Forever Trust Fund and District ad valorem funds are budgeted, for a condemnation action involving approximately 5 acres (Tract No. 005-255 LWS, Inc.) within the designated boundaries of the Critical CREW (Southern Corkscrew Regional Ecosystem Watershed) Project styled South Florida Water Management District v. Martin W. Snow, et al., filed in the 20th Circuit Court for Lee County, Florida, Case No. 03-1771-CA-JHS; providing an effective date. (Ed Artau, Ext. 6431)
See supporting document: [ca_oc_001_sd.pdf](#)
See resolution document: [ca_oc_001_rd.pdf](#)
- 31. 2006-915** A Resolution of the Governing Board of the South Florida Water Management District to authorize District staff to file suit and take all appropriate action, including the authority to settle the matter, subject to the approval of the Executive Director, against Gregory Isbell, individually and as trustee, in the 19th Judicial Circuit in and for Okeechobee County regarding the violations of Chapter 373, Florida Statutes and Chapter 40E, Florida Administrative Code, [S5&6/T34S/R34E] Okeechobee County, and against any other appropriate or necessary parties in the appropriate court; providing an effective date. (Robert Panse, Ext. 6279)
See supporting document: [ca_oc_002_sd.pdf](#)
See resolution document: [ca_oc_002_rd.pdf](#)
- 32. 2006-916** A Resolution of the Governing Board of the South Florida Water Management District to authorize District staff to file suit and take all appropriate action, including the authority to settle the matter subject to the approval of the Executive Director, against Gregory Isbell, individually and as trustee, in the 19th Judicial Circuit in and for Okeechobee County regarding the violations of Chapter 373, Florida Statutes and Chapter 40E, Florida Administrative Code, [S5&6/T34S/R34E] Okeechobee County, and against any other appropriate or necessary parties in the appropriate court; providing an effective date. (Robert Panse, Ext. 6279)
See supporting document: [ca_oc_002_sd.pdf](#)
See resolution document: [ca_oc_002_rd.pdf](#)

Corporate Resources

- 33. 2006-917** A Resolution of the Governing Board of the South Florida Water Management District authorizing the transfer of funds within the District budget as shown on the attachment hereto; providing an effective date.

Project Sponsor: Doug Bergstrom, ext. 6214
See supporting document: [ca_cr_001_sd.pdf](#)
See supporting document: [ca_cr_001_sd1.pdf](#)
See resolution document: [ca_cr_001_rd.pdf](#)
- 34. 2006-918** A Resolution of the Governing Board of the South Florida Water Management District amending the Fiscal Year 2005 2006 Budget; providing an effective date

Project Sponsor: Doug Bergstrom, X6214

See supporting document: [ca_cr_002_sd.pdf](#)

See resolution document: [ca_cr_002_rd.pdf](#)

- 35. 2006-919** A Resolution of the Governing Board of the South Florida Water Management District approving the attached Ethics Policy; providing for inclusion of the policy in Chapter 120 (Human Resources Policies) of the District Policy Code; providing for severability; providing an effective date.

Project Sponsor: Lourdes Ramos, ext 6370

See supporting document: [ca_cr_004_sd.pdf](#)

See supporting document: [ca_cr_004_sd1.pdf](#)

See resolution document: [ca_cr_004_rd.pdf](#)

- 36. 2006-920** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a one-year work order contract with two one-year renewals with Florida Drawbridge Inc., the lowest responsive and responsible bidder, for a Headquarters Heating, Ventilation and Air Conditioning Handyman in the amount of \$225,000, of which \$75,000 is subject to Governing Board approval of the FY07 budget and the remainder is subject to the Governing Board approval of the FY08-09 budgets; providing an effective date. (SAP Contract Number 4600000382)(Project Sponsor: Craig Nyhuis, Ext. 6472.)

See supporting document: [ca_cr_201_sd.pdf](#)

See resolution document: [ca_cr_rd_4652_BFLD.pdf](#)

- 37. 2006-921** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into an amendment to contract C-8358 with BellSouth Communication Systems for telephone maintenance, moves/adds/changes, and an on-site technician, to extend the term by three years (December 1, 2006 to November 30, 2009) and authorize a Waiver of Competition as an exception to the general standards of competition, in the amount of \$509,362 of which \$199,500 of ad valorem funds are subject to Governing Board approval of the FY07 budget and the remainder is subject to Governing Board approval of the FY08 - FY09 budgets; providing an effective date (C-8358-A11/3600000260).

Project Sponsor: Sharon Trost, ext 6814

See supporting document: [ca_cr_209_sd.pdf](#)

See resolution document: [ca_cr_209_rd.pdf](#)

- 38. 2006-922** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a purchase order with Veritas Software for backup software maintenance and upgrades, for the time period November 15, 2006 to November 14, 2007, in the amount of \$240,603 for which ad valorem (\$205,908) and dedicated (CERP - \$34,695) funds are subject to Governing Board approval of the FY07 budget; providing an effective date (PR 10002451).

Annual Renewal

Project Sponsor: Sharon Trost, Ext. 6814

See supporting document: [ca_cr_206_sd.pdf](#)

See resolution document: [ca_cr_206_rd.pdf](#)

- 39. 2006-923** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a purchase order with Presidio Corporation for Cisco Systems network hardware and software maintenance, for the time period October 1, 2006 to September 30, 2007, in the amount of \$337,316 for which ad valorem (\$302,234) and dedicated (CERP - \$35,082) funds are subject to Governing Board approval of the FY07 budget; providing an effective date (PR 10002450).

Annual Renewal

Project Sponsor: Sharon Trost, Ext. 6814

See supporting document: [ca_cr_205_sd.pdf](#)

See resolution document: [ca_cr_205_rd.pdf](#)

- 40. 2006-924** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a purchase order with Oracle Corporation for Oracle software maintenance and upgrades, for the time period October 25, 2006 to October 24, 2007, in the amount of \$768,973 for which ad valorem (\$669,735) and dedicated (CERP - \$99,238) funds are subject to Governing Board approval of the FY07 budget; providing an effective date (PR 10002439).

Annual Renewal

Project Sponsor: Sharon Trost, Ext. 6814

See supporting document: [ca_cr_204_sd.pdf](#)

See resolution document: [ca_cr_204_rd.pdf](#)

- 41. 2006-925** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a purchase order with Environmental Systems Research Institute (ESRI) for GIS software maintenance and upgrades, for the time period October 1, 2006 to September 30, 2007, in the amount of \$227,147, for which ad valorem (\$199,797) and dedicated (CERP - \$27,350) funds are subject to Governing Board approval of the FY07 budget; providing an effective date (PR 10002438).

Annual Renewal

Project Sponsor: Sharon Trost, Ext. 6814

See supporting document: [ca_cr_203_sd.pdf](#)

See resolution document: [ca_cr_203_rd.pdf](#)

- 42. 2006-926** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a purchase order with Compuquip Technologies, Inc. for IT security software maintenance and upgrades, for the time period October 1, 2006 to September 30, 2007, in the amount of \$191,164 of which ad valorem (\$188,892) and dedicated (CERP - \$2,272) funds are subject to Governing Board approval of the FY07 budget; providing an effective date (PR 10002437).

Annual Renewal

Project Sponsor: Sharon Trost, Ext. 6814

See supporting document: [ca_cr_202_sd.pdf](#)

See resolution document: [ca_cr_202_rd.pdf](#)

- 43. 2006-927** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a purchase order with SkillStorm for a Microwave Expansion Project Team Lead Consultant, for the time period October 1, 2006 to September 30, 2008, in the amount of \$171,216 of which \$83,522.40 of ad valorem funds are subject to Governing Board approval of the FY07 budget and the remainder is subject to Governing Board approval of the FY08 budget; providing an effective date. (PR 10002637).

Project Sponsor: Sharon Trost, Ext. 6814

See supporting document: [ca_cr_207_sd.pdf](#)

See resolution document: [ca_cr_207_rd.pdf](#)

- 44. 2006-928** A Resolution of the Governing Board of the South Florida Water Management District to authorize an amendment to contract OT050591 with Eagle Business Solutions for web services, and authorize a Waiver of Competition as an exception to the general standards of competition, in the amount of \$985,000 for which ad valorem funds are subject to Governing Board approval of the FY07 budget; providing an effective date OT050591-A02. (3600000876).

See supporting document: [cr_sd_0876.pdf](#)

See resolution document: [ca_cr_208_rd.pdf](#)

Operations and Maintenance

- 45. 2006-929** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 1 year cooperative agreement with the U.S. Geological Survey (Orlando) in the amount of \$423,330, for ground water and surface water monitoring of which ad valorem funds are subject to Governing Board approval of the FY07 budget; providing an effective date. (Contract Number 4600000402)

See supporting document: [ca_om_201_sd.pdf](#)

See resolution document: [ca_om_rd_4561_BFLD.pdf](#)

See supporting CJSS: [ca_om_cj_4560_BFLD.pdf](#)

46. **2006-930** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 180 day contract with Overland Construction, the lowest responsive and responsible bidder, for the S-65E Automation in the amount of \$584,000, for which ad valorem funds are subject to Governing Board approval of the FY07 budget; providing an effective date. (Contract Number 4600000410)
See supporting document: [ca_om_212_sd.pdf](#)
See resolution document: [ca_om_rd_4581_BFLD.pdf](#)
See supporting CJSS: [ca_om_cj_4580_BFLD.pdf](#)

47. **Board Vote on Consent Agenda**

Workshop Agenda

Water Resources

48. **Policy Issues Associated with the ACOE's Proposed Lake Okeechobee Regulation Schedule** - Kim O'Dell, Sr. Environmental Scientist, Lake Okeechobee Division, Watershed Management Department; Scott Burns, Director Water Supply Policy Implementation, Water Supply Department; and Dennis Duke, U.S. Army Corps of Engineers
49. **Regional Water Availability Rule Development Update.** Scott Burns, Director Water Supply Policy Implementation, Cecile Piverotto, Sr. Specialist Attorney
50. **Florida Bay Minimum Flow and Level Rule Development Update,** John Mulliken, Director, Water Supply Planning Division, David Rudnick- Sr. Supervising Environmental Scientist
51. **Proposed 2007 Updates of the Minimum Flow and Level Priority Water Body List and the Schedule for Initial Water Reservations.** John Mulliken, Director, Water Supply Planning Division.
52. **Funding for FY07 Alternative Water Supply Projects** - Mark Elsner, Director, Implementation Division
- CERP**
53. **Acceler8 Update** - Tommy Strowd, Assistant Deputy Executive Director, CERP, Paul E. Dumars, Sr., Chief Financial Officer
54. **Status Update on the Interim Goals and Interim Targets Agreements** - Paul Warner, Chief Environmental Scientist, Acceler8 Office
See supporting document: [Draft Interim Goals Agreement - Aug 31 2006 \(2\).pdf](#)

See supporting document: [Draft Interim Targets Agreement - Aug 31 2006.pdf](#)

See supporting document: [Interim Goals Targets - GB Workshop Sep 2006.pdf](#)

Discussion Agenda

Water Resources

- 55. 2006-931** A Resolution of the Governing Board of the South Florida Water Management District requesting the Florida Department of Environmental Protection to release funds from the Water Protection and Sustainability Trust Fund to carry out surface water restoration projects, pursuant to 403.890.F.S. (Sean Sculley, x6109)

See supporting document: [ca_wr_FY07WPSTF_sd.pdf](#)

See resolution document: [ca_wr_FY07WPSTF_rd.pdf](#)

See resolution document: [ca_wr_FY07WPSTFa_rd.pdf](#)

- 56.** Approve Environmental Resource Permit Modification Application 060524-2 for construction and operation of a surface water management system serving a 1713 acre residential project known as Mirasol (Collier County) (Robert M. Brown, ext 6283)

See supporting document: [da_wr_108_sd.pdf](#)

- 57.** Approve Water Use Permit Modification/Renewal Application 060306-16 for the Town of Highland Beach service area to increase the allocation to meet projected demands with a 20-year duration (Palm Beach County) (Robert J. Moresi, ext 6603)

See supporting document: [da_wr_105_sd.pdf](#)

- 58.** Authorize entering into a Consent Agreement with Crooks Ranch (Robert J. Moresi, ext 6603)

See supporting document: [da_wr_106_sd.pdf](#)

- 59.** Authorize entering into a Consent Agreement with Devils Garden Golden Ox (Robert J. Moresi, ext 6603)

See supporting document: [da_wr_107_sd.pdf](#)

- 60. 2006-932** A Resolution of the Governing Board of the South Florida Water Management District authorizing entering into one year agreements with Alternative Water Supply Funding Program applicants as shown in Exhibit A in an amount not to exceed \$41,355,910 for which \$18,000,000 in District FY2007 ad valorem funds, \$2,100,000 in Big Cypress Basin FY2007 ad valorem funds, \$18,000,000 in FY2007 Dedicated Funds (State Appropriations), \$2,985,910 in FY2006 State Appropriations and \$270,000 in Big Cypress Basin FY2006 ad valorem funds are budgeted, subject to Governing Board approval of the FY2007 budget; Delegating authority to the Executive Director to execute project funding agreements for the projects; providing an effective date. (Contract Number 4600000384) (Mark Elsner, x6156)

See supporting document: [da_wr_108_sd.pdf](#)

See supporting document: [4600000384 backup memo.pdf](#)
See supporting document: [4600000384 exhibit a_ to be provided.pdf](#)
See supporting document: [4600000384 exhibit 2.pdf](#)
See supporting document: [4600000384 map of proposed projects.pdf](#)
See supporting document: [4600000384 exhibit b.pdf](#)
See supporting document: [4600000384 exhibit 1 - all projects.pdf](#)

CERP

- 61. 2006-933** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 270 day contract with American Earth Movers, Inc., the lowest responsive and responsible bidder, for the Picayune Strand Restoration CERP Project's Phase I road removal work in the amount of \$3,993,000 for which dedicated funds (CERP Capital Construction Fund) are subject to Governing Board approval of the FY07 budget; providing an effective date. (Contract Number 4600000393)

See resolution document: [da_cp_rd_4504_BFLD.pdf](#)
See supporting CJSS: [da_cp_cj_4503_BFLD.pdf](#)
See supporting document: [Picayune Strand Road Removal Memo.pdf](#)
See supporting document: [PSRP Site Map.pdf](#)

Executive Office

- 62.** Consideration of (1) Administrative Law Judge D. Alexander's Recommended Order, and (2) timely filed Exceptions to the Recommended Order and Responses thereto, if any, in DOAH Case No. 05-4514, South Florida Water Management District v. Eco-Engineering, LLC (f/k/a Envirolglades, LLC), regarding suspension of Eco-Engineering from doing work with the District.

Sheryl Wood, General Counsel, Ext. 6976

Santiago Echemendia, Board Counsel

Cathy Linton, for SFWMD Staff, Ext. 6322

Marcy I. LaHart, for Eco-Engineering, LLC

- 63.** Consideration of Administrative Law Judge B. Canter's Recommended Order in DOAH Case No. 05-4308, Burkett v. Osceola County; Habitat Restoration, Inc; and South Florida Water Management District, regarding modification of an Environmental Resource Permit for a project known as Poinciana Boulevard, Phase II.

Sheryl Wood, General Counsel, Ext. 6976

Santiago Echemendia, Board Counsel

Peter Cocotos, for SFWMD Staff, Ext. 6274

Eric T. Olsen, Esq. for Petitioner

Silvia Morell Alderman, Esq. for Respondent Osceola County

Olga Sanchez de Fuentes, Esq. for Respondent Osceola County

Corporate Resources

- 64. 2006-934** A Resolution of the Governing Board of the South Florida Water Management District authorizing an increase to the Personal Computer Lease with Dell Government Leasing and Financing, in the amount of \$2,356,776, of which \$1,793,807 of ad valorem funds are subject to Governing Board approval of the FY07 budget and the remainder is subject to Governing Board approval of the FY08- FY09 budgets; providing an effective date. (RFQ 04-044)

Project Sponsor: Sharon Trost, Ext. 6814

See supporting document: [da_cr_201_sd.pdf](#)

See resolution document: [da_cr_201_rd.pdf](#)

Operations and Maintenance

- 65. 2006-935** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 455 day contract with Harry Pepper and Associates, Inc., the lowest responsive and responsible bidder for the S-127 Control Room hardening and building improvements in the amount of \$9,244,180, for which ad valorem funds in the amount of \$4,460,000 are subject to Governing Board approval of the FY07 budget; and the remainder is subject to Governing Board approval of the FY08 budget; providing an effective date. (Contract Number CN060733 / 4600000389)

See supporting document: [da_om_214_sd.pdf](#)

See resolution document: [da_om_rd_4548_BFLD.pdf](#)

See supporting CJSS: [da_om_cj_4547_BFLD.pdf](#)

- 66. 2006-936** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 1 year cooperative agreement with the U.S. Geological Survey (Ft. Lauderdale) for surface water and ground water monitoring in the amount of \$1,482,117, of which ad valorem funds are subject to Governing Board approval of the FY07 budget; providing an effective date. (Contract Number 4600000403)

See supporting document: [da_om_202_sd.pdf](#)

See resolution document: [da_om_rd_4546_BFLD.pdf](#)

See supporting CJSS: [da_om_cj_4545_BFLD.pdf](#)

- 67. 2006-937** A Resolution of the Governing Board of the South Florida Water Management District to authorize the ranking of short-listed firms and entering into a 3 year work order contract with AMJ Equipment Corporation subject to successful negotiations, for Campbell Scientific (CR10) Installation within the District's Surface-Water Network, in an amount not-to-exceed \$4,582,976 for which ad valorem / dedicated funds in the combined total of \$419,652 are subject to Governing Board approval of the FY07 budget, and the remainder is subject to Governing Board approval of the FY08-FY09 budgets; providing that, if negotiations are unsuccessful with AMJ Equipment Corporation, the District will proceed with negotiations in rank order until a contract has been successfully negotiated; providing an effective date. (Contract Number 4600000401)

See supporting document: [da_om_210_sd.pdf](#)

See resolution document: [da_om_rd_4550_BFLD.pdf](#)

See supporting CJSS: [da_om_cj_4549_BFLD.pdf](#)

- 68. 2006-938** A Resolution of the Governing Board of the South Florida Water Management District to authorize the ranking of short-listed firms and entering into a 3 year work order contract with Rare Earth Sciences, Inc. d/b/a HSA Engineers and Scientists, subject to successful negotiations, for Campbell Scientific (CR10) Installation within the District's Surface-Water Network, in an amount not-to-exceed \$4,582,976 for which ad valorem / dedicated funds in the combined total of \$419,652 are subject to Governing Board approval of the FY07 budget, and the remainder is subject to Governing Board approval of the FY08-FY09 budgets; providing that, if negotiations are unsuccessful with Rare Earth Sciences, Inc. d/b/a HSA Engineers and Scientists, the District will proceed with negotiations in rank order until a contract has been successfully negotiated; providing an effective date. (Contract Number 4600000398)

See supporting document: [da_om_207_sd.pdf](#)

See resolution document: [da_om_rd_4542_BFLD.pdf](#)

See supporting CJSS: [da_om_cj_4541_BFLD.pdf](#)

- 69. 2006-939** A Resolution of the Governing Board of the South Florida Water Management District to authorize the ranking of short-listed firms and entering into a 3 year work order contract with AquaFlora Instrumentation Services, Inc. subject to successful negotiations, for Campbell Scientific (CR10) Installation within the District's Surface-Water Network, in an amount not-to-exceed \$4,582,976 for which ad valorem / dedicated funds in the combined total of \$419,652 are subject to Governing Board approval of the FY07 budget, and the remainder is subject to Governing Board approval of the FY08-FY09 budgets; providing that, if negotiations are unsuccessful with AquaFlora Instrumentation Services, Inc., the District will proceed with negotiations in rank order until a contract has been successfully negotiated; providing an effective date. (Contract Number 4600000399)

See supporting document: [da_om_208_sd.pdf](#)

See resolution document: [da_om_rd_4552_BFLD.pdf](#)

See supporting CJSS: [da_om_cj_4551_BFLD.pdf](#)

- 70. 2006-940** A Resolution of the Governing Board of the South Florida Water Management District to authorize the ranking of short-listed firms and entering into a 3 year work order contract with Star Controls, Inc. subject to successful negotiations, for Campbell Scientific (CR10) Installation within the District's Surface-Water Network, in an amount not-to-exceed \$4,582,976 for which ad valorem / dedicated funds in the combined total of \$419,652 are subject to Governing Board approval of the FY07 budget, and the remainder is subject to Governing Board approval of the FY08-FY09 budgets; providing that, if negotiations are unsuccessful with Star Controls, Inc., the District will proceed with negotiations in rank order until a contract has been successfully negotiated; providing an effective date. (Contract Number 4600000400)

See supporting document: [da_om_209_sd.pdf](#)

See resolution document: [da_om_rd_4556_BFLD.pdf](#)

See supporting CJSS: [da_om_cj_4555_BFLD.pdf](#)

- 71. 2006-941** A Resolution of the Governing Board of the South Florida Water Management District to authorize the ranking of short-listed firms and entering into a 3 year work order contract with Rare Earth Sciences, Inc. d/b/a HSA Engineers and Scientists, subject to successful negotiations, for MOSCAD Installation within the District's Surface-Water Network, in an amount not-to-exceed \$4,150,000 for which ad valorem / dedicated funds in the combined total of \$436,800 are subject to Governing Board approval of the FY07 budget, and the remainder is subject to Governing Board approval of the FY08-FY09 budgets; providing that, if negotiations are unsuccessful with Rare Earth Sciences, Inc. d/b/a HSA Engineers and Scientists, the District will proceed with negotiations in rank order until a contract has been successfully negotiated; providing an effective date. (Contract Number 4600000395)
See supporting document: [da_om_204_sd.pdf](#)
See resolution document: [da_om_rd_4544_BFLD.pdf](#)
See supporting CJSS: [da_om_cj_4543_BFLD.pdf](#)
- 72. 2006-942** A Resolution of the Governing Board of the South Florida Water Management District to authorize the ranking of short-listed firms and entering into a 3 year work order contract with AMJ Equipment Corporation, subject to successful negotiations, for MOSCAD Installation within the District's Surface-Water Network, in an amount not-to-exceed \$4,150,000, for which ad valorem / dedicated funds in the combined total of \$436,800 are subject to Governing Board approval of the FY07 budget, and the remainder is subject to Governing Board approval of the FY08-FY09 budgets; providing that, if negotiations are unsuccessful with AMJ Equipment Corporation, the District will proceed with negotiations in rank order until a contract has been successfully negotiated; providing an effective date. (Contract Number 4600000407)
See supporting document: [da_om_206_sd.pdf](#)
See resolution document: [da_om_rd_4554_BFLD.pdf](#)
See supporting CJSS: [da_om_cj_4553_BFLD.pdf](#)
- 73. 2006-943** A Resolution of the Governing Board of the South Florida Water Management District to authorize the ranking of short-listed firms and entering into a 3 year work order contract with Star Controls, Inc., subject to successful negotiations, for MOSCAD Installation within the District's Surface-Water Network, in an amount not-to-exceed \$4,150,000 for which ad valorem / dedicated funds in the combined total of \$436,800 are subject to Governing Board approval of the FY07 budget, and the remainder is subject to Governing Board approval of the FY08-FY09 budgets; providing that, if negotiations are unsuccessful with Star Controls, Inc. the District will proceed with negotiations in rank order until a contract has been successfully negotiated; providing an effective date. (Contract Number 4600000394)
See supporting document: [da_om_203_sd.pdf](#)
See resolution document: [da_om_rd_4558_BFLD.pdf](#)
See supporting CJSS: [da_om_cj_4557_BFLD.pdf](#)

74. **2006-944** A Resolution of the Governing Board of the South Florida Water Management District to authorize the ranking of short-listed firms and entering into a 3 year work order contract with TEK Science and Engineering Corporation, subject to successful negotiations, for MOSCAD Installation within the District's Surface-Water Network, in an amount not-to-exceed \$4,150,000 for which ad valorem / dedicated funds in the combined total of \$436,800 are subject to Governing Board approval of the FY07 budget, and the remainder is subject to Governing Board approval of the FY08-FY09 budgets; providing that, if negotiations are unsuccessful with TEK Science and Engineering Corporation, the District will proceed with negotiations in rank order until a contract has been successfully negotiated; providing an effective date. (Contract Number 4600000397)
See supporting document: [da_om_205_sd.pdf](#)
See resolution document: [da_om_rd_4572_BFLD.pdf](#)
See supporting CJSS: [da_om_cj_4571_BFLD.pdf](#)
75. **2006-945** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 270 day contract with Expert Construction Managers Inc., the lowest responsive and responsible bidder, for the North Spur Telemetry Towers, Phase 2, in the amount of \$1,499,000, for which ad valorem funds are subject to Governing Board approval of the FY07 budget; providing an effective date. (Contract Number CN060676 / 4600000409)
See supporting document: [da_om_211_sd.pdf](#)
See resolution document: [da_om_rd_4585_BFLD.pdf](#)
See supporting CJSS: [da_om_cj_4584_BFLD.pdf](#)
76. **2006-946** A Resolution of the Governing Board of the South Florida Water Management District to authorize entering into a 150 day contract with Construction Technology, Inc., the lowest responsive and responsible bidder, for the Harold A. Campbell Public Use Area at STA 3/4, in the amount of \$1,716,000, for which dedicated funds (Everglades Trust Fund) of \$330,000 are budgeted; and the remainder is subject to Governing Board approval of the FY07 budget; providing an effective date. (Contract Number CE060274 / 4600000411)
See supporting document: [da_om_213_sd.pdf](#)
See resolution document: [da_om_rd_4633_BFLD.pdf](#)
See supporting CJSS: [da_om_cj_4632_BFLD.pdf](#)

77. Public Comment

Staff Reports

78. **Water Conditions Report** - Bob Howard P.E.
79. **Lake Okeechobee Conditions Report** - Susan Gray
80. **Office of Policy and Legislation Update** - Ernie Barnett

- 81. **Calendar Update** - Jacki McGorty
- 82. **General Counsel Report** - Sheryl Wood
- 83. **Executive Director's Report** - Carol Wehle
- 84. **Board Comment**

Closed Door Agenda

Executive Office

85. Closed-Door Session

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in United States of America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno.

Sheryl G. Wood, General Counsel, Office of Counsel, Ext. 6976

Action Items (if any) Stemming from Closed Session

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in United States of America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno.

Sheryl G. Wood, General Counsel, Office of Counsel, Ext. 6976

86. Closed-Door Session

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein.

Sheryl G. Wood, General Counsel, Office of Counsel, Ext. 6976

Action Items (if any) Stemming from Closed Session

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 02-80309-CV-Altonaga/Turnoff; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein.

Sheryl G. Wood, General Counsel, Office of Counsel, Ext. 6976

87. Closed-door Session

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in Tohopekaliga Water Authority v. St. Johns River Water Management District and Orange County Utilities Division, St. Johns River Water Management District, CUP No. 3317.

Sheryl G. Wood, General Counsel, Office of Counsel, Ext. 6976

Action Items (if any) Stemming from Closed Session

Attorney-client session pursuant to Fla. Stat. Section 286.011(8)(2005) to discuss strategy related to litigation expenditures in Tohopekaliga Water Authority v. St. Johns River Water Management District and Orange County Utilities Division, St. Johns River Water Management District, CUP No. 3317.

Sheryl G. Wood, General Counsel, Office of Counsel, Ext. 6976

Adjournment

88. Adjourn